

1 DAVID D. LAWRENCE, State Bar No. 123039
dlawrence@lbaclaw.com
2 DENNIS M. GONZALES, State Bar No. 59414
dgonzales@lbaclaw.com
3 NATHAN A. OYSTER, State Bar No. 225307
noyster@lbaclaw.com
4 LAWRENCE BEACH ALLEN & CHOI, PC
100 West Broadway, Suite 1200
5 Glendale, California 91210-1219
Telephone No. (818) 545-1925
6 Facsimile No. (818) 545-1937

7 Attorneys for Defendant
Burbank Police Department Officer Gunn
8

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11

12 PRESTON SMITH, an individual;

13 Plaintiff,
14

15 vs.

16 CITY OF BURBANK; BURBANK
17 POLICE DEPARTMENT;
BURBANK POLICE DEPARTMENT
18 OFFICER GUNN; BURBANK
POLICE DEPARTMENT OFFICER
19 BAUMGARTEN; BURBANK
POLICE DEPARTMENT OFFICER
20 EDWARDS; AND DOES 1
THROUGH 100, INCLUSIVE
21

22 Defendants.
23

Case No. CV 10-08840 R (AGR_x)

Honorable Manuel L. Real

**STIPULATION TO VACATE ALL
TRIAL AND PRETRIAL DATES
DUE TO THE SETTLEMENT OF
THE CASE**

Trial Date: August 7, 2012
Time: 9:00 a.m.
Courtroom: 8

Pretrial Conf.: July 30, 2012
Time: 11:00 a.m.
Courtroom: 8

24 TO THE HONORABLE COURT, ALL PARTIES, AND TO THEIR COUNSEL
25 OF RECORD:

26 Plaintiff PRESTON SMITH (hereinafter "Plaintiff") and Defendants CITY
27 OF BURBANK, BURBANK POLICE DEPARTMENT, and OFFICER NEIL
28

///

1 GUNN, JR. (hereinafter "Defendants"), through their respective attorneys of
2 record, hereby enter into the following stipulation:

3 1. The parties have reached an agreement to settle this matter in its
4 entirety. The parties are in the process of finalizing settlement documentation.

5 2. Because there are pending deadlines in this matter that will elapse
6 before the parties can finalize the settlement, the parties respectfully request that
7 the Court issue an Order vacating all trial and pretrial dates and scheduling an
8 Order to Show Case RE: Dismissal for 30 days from the present.

9
10
11 Dated: June 18, 2012

LAW OFFICES OF MANUEL H. MILLER
A Professional Corporation

12
13
14 By /s/ Michael Coletti
15 Michael Coletti
16 Attorney for Plaintiff
Preston Smith

17
18 Dated: June 18, 2012

LAWRENCE BEACH ALLEN & CHOI, PC

19
20 By /s/ Nathan A. Oyster
21 Nathan A. Oyster
22 Attorneys for Defendant
Burbank Police Department Officer Gunn

23
24 Dated: June 18, 2012

BURBANK CITY ATTORNEY'S OFFICE

25
26 By /s/ Carol A. Humiston
27 Carol A. Humiston
28 Sr. Assistant City Attorney
City of Burbank, and Burbank Police
Department

Arutyunyan, Lusine

From: cacd_ecfmail@cacd.uscourts.gov
Sent: Monday, June 18, 2012 1:39 PM
To: ecfnf@cacd.uscourts.gov
Subject: Activity in Case 2:10-cv-08840-R-AGR Preston Smith v. City of Burbank et al Stipulation to Vacate

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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered by Oyster, Nathan on 6/18/2012 at 1:38 PM PDT and filed on 6/18/2012

Case Name: Preston Smith v. City of Burbank et al

Case Number: 2:10-cv-08840-R-AGR

Filer: Gunn

Document Number: 67

Docket Text:

Joint STIPULATION to Vacate Trial and Pretrial Dates Due to Settlement of the Case filed by Defendant Gunn. (Attachments: # (1) Proposed Order)(Oyster, Nathan)

2:10-cv-08840-R-AGR Notice has been electronically mailed to:

Carol Ann Humiston chumiston@ci.burbank.ca.us, larutyunyan@ci.burbank.ca.us, lrossoff@ci.burbank.ca.us

David D Lawrence dlawrence@lbaclaw.com, bmoyer@lbaclaw.com

Dennis Michael Gonzales dgonzales@lbaclaw.com, dard@lbaclaw.com

Manuel H Miller miller4law@msn.com

Max A Sauler msauler@miller4law.com

Nathan A Oyster noyster@lbaclaw.com, clynch@lbaclaw.com

2:10-cv-08840-R-AGR Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

Dennis A Barlow

Burbank City Attorney Office
275 E Olive Ave
Burbank, CA 91502

Juli C Scott
Burbank City Attorney Office
275 E Olive Ave
Burbank, CA 91502

Michael Anthony Coletti
Stoll Nussbaum & Polakov
11601 Wilshire Blvd
Suite 200
Los Angeles, CA 90025-1738

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\Stip re settlement.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=6/18/2012] [FileNumber=13814335-0]
] [171a54698edcc4e23b02f8ee21b43542035f35c7e19475ce6e0a4a69a0308fca1ee
88fc666046bb5bfa694e038f735db4916cd4d5f3e4a4121c355d5cb8d39b8]]

Document description:Proposed Order

Original filename:C:\fakepath\Proposed Order - Stip re settlement.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=6/18/2012] [FileNumber=13814335-1]
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